

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRUSTEES OF MICHIGAN
REGIONAL COUNCIL OF CARPENTERS'
EMPLOYEE BENEFITS FUND, *et al.*,

Plaintiffs,

Case No. 24-cv-10907
Hon. Matthew F. Leitman

v.

MICHIGAN STUDS AND
WALLS, LLC, *et al.*,

Defendants.

**ORDER (1) DIRECTING DEFENDANT KEVIN COX TO PERSONALLY
ATTEND HEARING ON PLAINTIFFS' MOTION FOR AN ORDER TO
SHOW CAUSE (ECF No. 18) AND (2) DIRECTING PLAINTIFFS TO
SERVE THIS ORDER AND NOTICE OF HEARING ON COX**

In this action, Plaintiffs allege that Defendants Michigan Studs and Walls, LLC, Kevin Cox, and Nathan McCardell “violated both their contractual and statutory obligations by failing to make all of the fringe benefit contributions and assessments due on behalf of” Plaintiffs’ employees. (Compl. at ¶ 12, ECF No. 1, PageID.5.) Defendants Cox and Michigan Studs and Walls never appeared in this action. Accordingly, on June 26, 2024, the Court entered a default judgment against them. (*See* Default Judgment, ECF No. 15.) In its order issuing the default judgment,

the Court ordered Cox and Michigan Studs and Walls to “submit to an audit of their books and records within thirty (30) days.” (*Id.*, PageID.246.)

On August 7, 2024, Plaintiffs filed a motion requesting that the Court issue an order to show cause against Cox and Michigan Studs and Walls due to their failure to submit to the required audit. (*See* Mot., ECF No. 18.) The Court has set a an in-person hearing on that motion for **Wednesday, September 18, 2024, at 11:30 a.m.** The hearing will take place in Courtroom 207 of the Theodore Levin United States Courthouse, 231 W. Lafayette Boulevard, Detroit, Michigan 48226.

The Court hereby **ORDERS** Cox to **personally attend** the hearing on Plaintiffs’ motion for an order to show cause. If Cox does not personally attend the hearing, the Court may hold him in contempt of Court and order that he be arrested by the United States Marshals Service for failing to comply with this Court’s orders.

By no later than **August 26, 2024**, Plaintiffs’ counsel shall personally serve Cox with (1) Plaintiffs’ motion for an order to show cause (ECF No. 18), (2) the Notice of Hearing on that motion (ECF No. 20), and (3) this order. In addition, by no later than **August 26, 2024**, Plaintiffs’ counsel shall file a proof of service on the docket confirming that Cox has been personally served with the documents identified above.

IT IS SO ORDERED.

Dated: August 13, 2024

s/Matthew F. Leitman

MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 13, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126